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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

LEE, CHI HO A

ART UNIT

PAPER NUMBER

2663

DATE MAILED: 04/08/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/270,297

Applicant(s)

DEO ET AL.

Examiner

Andrew Lee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 10.
- 4) ☒ Interview Summary (PTO-413) Paper No(s) 16.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lancelot et al U.S. Patent Number 6,026,086 in view of Flanders et al U.S. Patent Number 6,041,058.

Re Claims 1, 7, 14, 21, Lancelot et al teaches in fig 2, the primary station 105 receiving connection requests from secondary station 110. The connection request includes the particular network protocol in which the primary station 105 uses to convert the first network protocol to a suitable second network protocol (see col. 9, lines 44-65). The primary station includes the communication controller 145 which selectively executes codes stored in the associated memory for protocol conversion (see col. 4, lines 33-45 also see fig 6 which discloses the interworking function).

Lancelot et al fails to explicitly teach the selectively enable on-board components. However, Flanders et al teaches a bridge/router comprising a motherboard and plurality of hardware network interface modules in figs 1 & 2. Flanders teaches that hardware analysis and filtering by logic circuits operating at wire speed improves network performance compared with processor intensive software analysis (see col. 1, lines 48-63). One of ordinary skilled would have been motivated

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by Flanders teaching to provide network protocol conversion in hardware to improve network performance. The protocol dependent network interface module of Flanders can be combined with interworking function within the primary station of Lancelot et al to selectively activate the particular network interface module. Therefore, it would have been obvious to one ordinary skilled to incorporate the teaching of Flanders et al into the teaching of Lancelot et al for network performance.

Re Claims 2, 3, 8, 13, 15, 20, 22, and 27 refer to Claim 1, wherein the plurality of modules correspond to the plurality of network interface modules under control by the communication controller 145.

Re Claims 4-6, the communication controller 145 of the primary station differentiates between PSTN calls and packet connections

Re Claims 9-12, 16-19, 23-26, see fig 2, the local TDM switch coupled to the primary station 105 wherein Flanders teaches in fig 2, the plurality of DSP on board the network interface module.

Response to Arguments

3. Applicant's arguments filed 2/13/02 have been fully considered but they are not persuasive.

Applicant fails to properly argue claim 1 because, claim 1 does not recite "a processor". However, the argument of claims 1, 14, 21 will be associated with the argument of claim 7.

Regarding Claim 7, Applicant argues that Lancelot in view of Flanders fails to teach “the plurality of network on-board components to process data” and “to selectively enable at least one of the plurality of network on-board components”.

Examiner disagrees with Applicant's assertion.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Fig 4 teaches once the particular protocol of the user request is determined steps 330, 345 (whether circuit switch network or packet based network connection), steps 335, 350 facilitate selectively enabling of the connections. What is lacking in Lancelot is the plurality of network on-board component inside the primary station 105, which merely is a hardware implementation of the bridge/router. However, in view of Flanders, fig 1 teaches a bridge/router implemented with plurality of Network interface modules. These interface modules are the plurality of network on-board components. Clearly, one of ordinary skilled would have motivated to replace the Primary Station 105 with the Bridge/router of Flanders for enhance functioning.

Furthermore, even if Applicants successfully argues that Lancelot and Flanders cannot be combined. Lancelot alone would have been obvious. In view of Fig 4, steps 335 and 350 establish connections to the selected network. One of ordinary skilled

would have realized that the connection to the selected network requires a particular network interface, hence, plurality of network on-board components.

Conclusion

5. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Lee whose telephone number is 703-305-1500. The examiner can normally be reached on Monday to Friday from 8:30AM to 6:00PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on 703-308-5340. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



Andy Lee
April 1, 2002.



MELVIN MARCELO
PRIMARY EXAMINER